

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #5

First Named Inventor : Heikki Haveri

International (PCT) Appln. No. : PCT/IB03/01052

International Filing Date : March 14, 2003

Title : Paramagnetic Oxygen Sensing Apparatus and Method

Docket No. : 2532-00358

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION  
FOR PATENT DESIGNATING THE U.S. ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

Milwaukee, Wisconsin 53202  
October 12, 2004

Attention: PCT Legal Staff  
Mail Stop - New PCT Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 C.F.R. 1.494(b) or (c) or 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**1. Petition fee**

- Small entity fee \$665.00 (37 C.F.R. 1.17(m)). Applicant claims small entity status.
- Other than small entity fee \$1,370.00 (37 C.F.R. 1.17(m)).

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Atty. Docket No. 2532-00358  
Petition to Revive dated October 12, 2004

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of the executed Statement by applicant under 37 C.F.R. 1.137(b)):

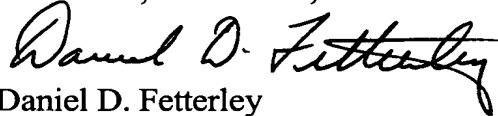
- has been filed previously on \_\_\_\_\_.  
 is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 C.F.R. 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity disclaiming the required period of time is enclosed herewith.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

  
Daniel D. Fetterley  
(Reg. No. 20,323)

100 East Wisconsin Avenue, Suite 1100  
Milwaukee, Wisconsin 53202  
(414) 271-7590

Enclosures:  Response  
 Fee Payment  
 Terminal Disclaimer  
 Certificate of Express Mail attached.

10/511068

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DT04 Rec'd PCT/PTO 12 OCT 2004

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Applicant : Heikki Haveri  
Title : Paramagnetic Oxygen Sensing Apparatus  
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STATEMENT UNDER 37 C.F.R. §1.137(b)

Commissioner for Patents  
Mail Stop - New PCT Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Instrumentarium Corp. is the applicant in this application by virtue of an assignment filed in U.S. Provisional Application No. 60/366,876 which International Application No. PCT/IB03/01502 claims priority from. The assignment was recorded in the USPTO at Reel 12976, Frame 141 on June 6, 2002

The applicant hereby states that the entire delay in entering the national stage in the United States from the due date for same until the filing of grantable petition pursuant to the above paragraph was unintentional.

Respectfully submitted,

INSTRUMENTARIUM CORP.

OCT 12<sup>TH</sup>, 2004

Date

Name: ANssi RITTU  
Title: DIRECTOR

Date

Name:  
Title:

Best Available Copy